

### **Amendments to the Claims:**

This listing of claims will replace all prior versions, and listings, of claims in the application:

### **Listing of the Claims:**

1. (currently amended): A method for delivery and retention of an active agent in one or more targeted lymph nodes, comprising:
  - a) injecting into a mammal a first composition comprising ligand conjugated to a colloid; and
  - [[a)] b) injecting into said mammal a second composition comprising anti-ligand, wherein said anti-ligand binds to said ligand.
2. (original) The method of claim 1, wherein the colloid comprises a liposome.
3. (original) The method of claim 2, wherein the liposome comprises phospholipid.
4. (original) The method of claim 2, wherein the liposome comprises cholesterol.
5. (original) The method of claim 3, wherein the phospholipid comprises DPPC or DSPC.
6. (original) The method of claim 1, wherein the ligand comprises biotin.
7. (original) The method of claim 1, wherein the anti-ligand comprises avidin.
8. (original) The method of claim 1, wherein the colloid is associated with an active agent.
9. (original) The method of claim 8, wherein the active agent is chosen from the group consisting of diagnostic agents, therapeutic agents, photoactivated dyes, cytotoxic agents, biological response modifiers, hormone suppressants, prodrugs, dyes for visual detection,

radiosensitizers, radioprotectors, DNA, RNA, antigens, radioisotopes and neutron capture isotopes.

10. (original) The method of claim 9, wherein the active agent is chosen from the group consisting of radioisotopes and dyes.
11. (original) The method of claim 9, wherein the active agent is chosen from the group consisting of diagnostic agents and dyes for visual detection.
12. (original) The method of claim 9, wherein the active agent is chosen from the group consisting of photoactivated dyes, cytotoxic agents, biological response modifiers, hormone suppressants, prodrugs, radiosensitizers, radioprotectors, DNA, RNA, and neutron capture agents.
13. (original) The method of claim 1, wherein the anti-ligand comprises an active agent.
14. (original) The method of claim 1, wherein the ligand comprises biotin and the anti-ligand comprises avidin.
15. (original) A method for detecting one or more sentinel lymph nodes comprising:
  - a) injecting in the vicinity of a tumor in a mammal a first composition comprising ligand conjugated to a colloid; and
  - b) injecting into said mammal a second composition comprising anti-ligand, wherein said anti-ligand binds to said ligand.
16. (original) The method of claim 15, wherein the colloid comprises an active agent.
17. (original) The method of claim 16, wherein the active agent is chosen from the group consisting of radioisotopes and dyes.
18. (original) The method of claim 15, wherein the anti-ligand comprises a detection agent.

19. (original) The method of claim 18, wherein the detection agent comprises a radioisotope or dye.
20. (original) A kit for delivering and retaining an active agent in one or more lymph nodes, comprising:
  - a) a first composition comprising ligand conjugated to a colloid; and
  - b) a second composition comprising anti-ligand.
21. (original) The kit of claim 20, wherein the colloid comprises an active agent.
22. (original) The kit of claim 20, wherein the anti-ligand comprises an active agent.
23. (original) The kit of claim 21, wherein the anti-ligand comprises an active agent.
24. (original) The kit of claim 20, further comprising a means for delivering the compositions to a mammal.
25. (original) A composition comprising:
  - a) ligand conjugated to colloid; and
  - b) anti-ligand.
26. (original) The composition of claim 25, wherein the colloid comprises an active agent.
27. (original) The composition of claim 25, wherein the anti-ligand comprises an active agent.
28. (original) The composition of claim 25, wherein the colloid comprises:
  - a) glutathione;

- b)  $^{99m}\text{Tc}$ -HMPAO; and
- c) blue dye.

- 29. (new): The method of claim 9, wherein the active agent comprises a radioisotope and a dye.
- 30. (new): The method of claim 16, wherein the active agent comprises a radioisotope and a dye.

**A Response to the Species Election Requirement:**

**A. A Summary of the Claims**

Claims 1-28 were pending when the Species Election Requirement dated October 6, 2003 was issued. Applicants have amended claim 1 to correct a minor typographical error. In view of the fact that this amendment only relates to correcting a minor typographical error, it does not in any way affect the scope of the claims or range of equivalents that the elements of the claims are entitled.

Applicants have also added new claims 29-30. Support for these new claims can be found throughout the specification and claims as originally filed. See, for example, page 26, lines 17-18 and page 32, lines 4-28. No new matter has been added by these new claims.

Claims 1-30, therefore, are currently pending in this application.

**B. A Response to the Species Election Requirement**

The Action requests Applicants to elect a specific species of an active agent as listed in claims 9-12. It is also requested that Applicants elect a specific species of a phospholipid as listed in claim 5. In support of the species election requirement, the Action states that it would be unduly burdensome for the examiner to search and/or consider patentability of all of the claims as presently pending.

Applicants respectfully traverse. It would not be unduly burdensome for the examiner to search and/or consider the patentability of the presently pending claims. In fact, Applicants note that the subject matter of the independent claims must be searched regardless of what species Applicants elect for further prosecution in this case.

However, to further the prosecution in this case, Applicants elect the diagnostic agent as the active agent for further prosecution in this case. Specifically, Applicants elect a radioisotope